

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STEPHANIE OSHEL,

Plaintiff,

v.

Case No. 09-CV-00764 JEC/RHS

**BOARD OF COUNTY COMMISSIONERS
for the COUNTY OF SANTA FE, New Mexico,
FRANK LOVATO, TERRY BURKS,
GREG PARRISH, ANNABELLE ROMERO,
BILLY MERRIFIELD, ROBERT APODACA,
CURTIS YOUNG, ERNIE SAUCEDO,
SHERRIE LOPEZ, JESSICA VALDEZ,
and ROMAN ABEYTA, in their official
capacities and individually,**

Defendants.

MEMORANDUM OPINION AND ORDER

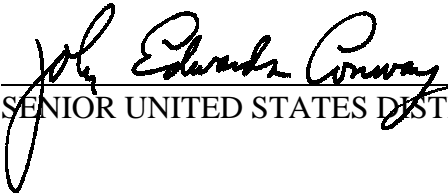
THIS MATTER comes before the Court on *Plaintiff's Motion to Amend the Complaint* (Doc. 34), filed June 2, 2010 ("Motion"). Having reviewed the parties' submissions and being otherwise informed in the premises, the Court finds the Motion is well-taken and will be GRANTED.

This case arises from alleged civil rights violations allegedly occurring in the context of Plaintiff's employment with the Santa Fe Department of Corrections Youth Development Program ("YDP"). Before filing the instant lawsuit, Plaintiff brought her claims to the attention of the EEOC and the New Mexico Human Rights Division via a 62-page Charging Affidavit. Her previous Complaint in this action attached the Charging Affidavit and attempted to incorporate its factual allegations by reference. On April 21, 2010, the Court granted the *Motion to Strike Plaintiff's Affidavit from the Second Complaint* (Doc. 17) by Defendants Lovato, Burks,

Merrifield, Duran, Young, and Saucedo. Plaintiff now wishes to amend her Complaint so that she may incorporate the factual allegations of the Charging Affidavit into her Complaint.

Fed.R.Civ.P. 15(a)(2) regarding amendments to the pleadings provides that “[t]he Court should freely give leave [to amend] when justice so requires.” In the present case, the Court finds the requested amendment is appropriate. *Plaintiff’s Motion to Amend the Complaint* (Doc. 34) is therefore GRANTED.

DATED December 21, 2010.



SENIOR UNITED STATES DISTRICT JUDGE

Counsel for Plaintiffs:

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